

ATTORNEY DOCKET NO.: SP03-077
SERIAL NO. 10/622,606
FILED: JULY 18, 2003
EXAMINER: THIEN F. TRAN
GROUP ART UNIT: 2811
PAGE 6

Remarks

In view of the above amendments and the following remarks, favourable reconsideration of the outstanding office action is respectfully requested.

Attached hereto is a page entitled "Version of Markings to Show Changes Made."

Claims 1-15 remain in this application. Claims 1-6, 8, and 11-14 have been amended. Claims 7, 9, 10, and 15 have been cancelled. Claims 16-24 have previously been withdrawn from consideration, without prejudice.

Claims 1-15 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of copending Application No. 10/851,038 (US2005/0012099). Attached hereto is a terminal disclaimer appropriately rendering the double patenting moot.

Allowable Subject Matter

The Examiner has deemed Claims 3-6 free of prior art (Office Action p. 3, ¶2). Accordingly, independent Claim 1 has been amended such that it now contains the limitations of cancelled Claims 2 and 3, and is therefore in condition for allowance. Applicants have amended Claims 8 and 11-14 to depend from amended Claim 1, and are therefore also in condition for allowance. Likewise, Claim 4 has been rewritten in independent form containing all limitations of the base claim from which it had depended. Amended Claim 4, and its dependent Claims 5 and 6, are therefore also in condition for allowance.

In view of the foregoing, it is respectfully submitted that this case is in condition for allowance. Such allowance is earnestly solicited.

ATTORNEY DOCKET NO.: SP03-077
SERIAL NO. 10/622,606
FILED: JULY 18, 2003
EXAMINER: THIEN F. TRAN
GROUP ART UNIT: 2811
PAGE 7

Conclusion

Based upon the above amendments, remarks, and papers of record, Applicants have cancelled Claims 7, 9, 10, and 15, and respectfully request reconsideration of the pending claims 1-6, 8, and 11-14 with a prompt Notice of Allowance thereon.

Applicant believes that no extension of time is necessary to make this Response timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Thomas R. Beall at 3921.

Respectfully submitted,

CORNING INCORPORATED

Date: July 20, 2005

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2005.

Date of Deposit

Thomas R. Beall

Name of applicant, assignee, or
Registered Representative



Signature

July 20, 2005
Date of Signature



Thomas R. Beall
Registration No. 40,424
Corning Incorporated
Patent Department
Mail Stop SP-TI-03-1
Corning, NY 14831